

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

**UNITED STATES OF AMERICA**

**v.**

**KYLE CATON,**

**Defendant.**

) Criminal No. *19-CR-245*  
)  
) **Information**  
)  
) Violations: 18 U.S.C. § 2252A(a)(2)(A)  
) [Receipt of Child  
) Pornography]  
)  
)  
) 1 Count & Forfeiture Allegation  
)  
) County of Offense: Saratoga

**THE UNITED STATES ATTORNEY CHARGES:**

**COUNT 1**  
**[Receipt of Child Pornography]**

From at least 2018 through February 25, 2019, in Saratoga County in the Northern District of New York, the defendant, **KYLE CATON**, did knowingly receive child pornography using a means and facility of interstate and foreign commerce, shipped and transported in and affecting such commerce by any means, including by computer, in that the defendant did receive, graphic image and video files of actual minors engaged in sexually explicit conduct by use of the Internet, in violation of Title 18, United States Code, Sections 2252A(a)(2)(A), 2252A(b)(1), 2256(8)(A).

**FORFEITURE ALLEGATION**

The allegations contained in Count 1 of this Information are hereby realleged and incorporated by reference herein for the purposes of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Section 2253.

Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, the defendant **KYLE CATON**, shall forfeit to the United States of America:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, 2252B, or 2260, and any book, magazine, periodical, film, videotape, and other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter;
- b. Any property, real and personal, constituting and traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real and personal, used and intended to be used to commit and to promote the commission of the offenses.

The property to be forfeited includes, but is not limited to, the following:

- a. A custom-built desktop computer tower, which is encased within a black Rosewill Thor computer tower case, and which contains a Western Digital Red Pro three-terabyte hard drive bearing serial number WMC5D0D3055S (the "Western Digital hard drive"), and a Samsung 850 EVO one-terabyte solid-state drive bearing serial number S21CNWAG213562D (the "Samsung SSD").

If the property described above as being subject to forfeiture, as a result of any act or omission of the defendant-

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party,
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or

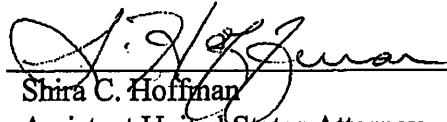
e. has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b) and by Title 28, United States Code, Section 2461(c).

Dated: June 20, 2019

GRANT C. JAQUITH  
United States Attorney

By:

  
Shira C. Hoffman  
Assistant United States Attorney  
Bar Roll No. 700507